

G-012/M-89-279 VARYING RULES

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Barbara Beerhalter	Chair
Cynthia A. Kitlinski	Commissioner
Norma McKanna	Commissioner
Robert J. O'Keefe	Commissioner
Darrel L. Peterson	Commissioner

In the Matter of Western Gas Utilities Inc.'s
Request for an Extension for Time to File its
1988 Gas Jurisdictional Annual Report

ISSUE DATE: May 26, 1989

DOCKET NO. G-012/M-89-279

ORDER VARYING RULES

PROCEDURAL HISTORY

On May 1, 1989 Western Gas Utilities Inc. (Western or the Company) petitioned the Minnesota Public utilities Commission (the Commission) for an extension to May 30, 1989 to file its Gas Jurisdictional Annual Report as required by Minn. Rules, parts 7825.4800 and 7825.5000.

FINDINGS AND CONCLUSIONS

The Commission is empowered by Minn. Rules, part 7830.4400 to vary any of its rules when it appears to the Commission's satisfaction that: enforcement of the rule would impose an excessive burden upon the applicant or others affected by the rule; granting the variance would not adversely affect the public interest; and granting the variance would not conflict with standards imposed by law.

The Commission finds that enforcement of Minn. Rules, parts 7825.4800 and 7825.5000 would impose an excessive burden on the Company. The Company stated that it recently changed auditors and that it is taking longer than anticipated for the previous auditors to arrange for the transmittal of the records.

The Commission also finds that granting the variance would not adversely affect the public interest, but would, in fact, serve the public interest by giving Western the time it requires to file a thorough and well prepared report.

Finally, the Commission finds that granting the variance would not conflict with standards imposed by law.

The Commission concludes that the requirements of Minn. Rules, part 7830.4400 have been met and will order Minn. Rules, parts 7825.4800 and 7825.5000 varied to allow Western to file its Gas Jurisdictional Annual Report by May 30, 1989.

ORDER

1. Minn Rules, parts 7825.4800 and 7825.5000 are hereby varied to allow Western to file its Gas Jurisdictional Annual Report by May 30, 1989.
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Mary Ellen Hennen
Executive Secretary

(S E A L)